

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BADRUL ALAM,

Plaintiff,

Case No. 13-cv-14480
Hon. Matthew F. Leitman

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION (ECF #21),
GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (ECF
#19), DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT
(ECF #20), AND REMANDING CASE FOR FURTHER PROCEEDINGS**

On September 29, 2014, Magistrate Judge Charles Binder issued a Report and Recommendation ("R&R") recommending that the Court grant Plaintiff Badrul Alam's Motion for Summary Judgment (ECF #19), deny the Defendant Commissioner of Social Security's Motion for Summary Judgment (ECF #20), and remand this matter for further proceedings in accordance with sentence four of 42 U.S.C. § 405(g). (*See* ECF #21.) The R&R stated that the parties could object to and seek review of the recommendation within fourteen days. (*See id.* at 16-17, Pg. ID 376-377.)

Neither party has objected to the R&R. Failure to file objections to the R&R waives any further right to appeal. *See Howard v. Sec'y of Health and*

Human Servs., 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the Magistrate Judge's R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). The Court has nevertheless reviewed the R&R and agrees with the findings and conclusions of the Magistrate Judge.

Therefore, **IT IS HEREBY ORDERED** that the Magistrate Judge's September 29, 2014, R&R (ECF #21) is **ADOPTED** as the Opinion of this Court. **IT IS FURTHER ORDERED**, for the reasons stated in the R&R, that Plaintiff's June 13, 2014, Motion for Summary Judgment (ECF #19) is **GRANTED**, that Defendant's June 25, 2014, Motion for Summary Judgment (ECF #20) is **DENIED**, and this matter is **REMANDED** to the Commissioner of Social Security for further proceedings consistent with the direction and recommendation of the Magistrate Judge in the R&R.

s/Matthew F. Leitman
 MATTHEW F. LEITMAN
 UNITED STATES DISTRICT JUDGE

Dated: October 17, 2014

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 17, 2014, by electronic means and/or ordinary mail.

s/Holly A. Monda
 Case Manager
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